

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE

UNITED STATES SECURITIES )  
AND EXCHANGE COMMISSION )  
                            )  
Plaintiff,                )  
                            )  
                            )  
v.                         )      Civ.No.07-39-SM  
                            )  
ERIC JAEGER and          )  
JERRY A. SHANAHAN,        )  
                            )  
Defendants.                )

**JERRY SHANAHAN'S MOTION FOR SUMMARY JUDGMENT**

Defendant Jerry Shanahan moves this Court for Summary Judgment against the Securities and Exchange Commission ("SEC") as to all claims brought by the SEC in the First Amended Complaint. In support of this motion, Mr. Shanahan relies upon (a) the Consolidated Memorandum of Law in Support of His Motion for Summary Judgment and Opposition to the SEC's Motion for Summary Judgment, (b) Defendant Jerry Shanahan's Separate Statement of Undisputed Material Facts in Support of His Motion For Summary Judgment (with Exhibits); and (c) the Declaration of Jerry Shanahan, all of which are filed herewith and hereby incorporated by reference herein.

WHEREFORE, Jerry Shanahan respectfully requests that this

Court grant summary judgment against the SEC.

DATED: December 16, 2011

Respectfully submitted,

Jerry A. Shanahan

By his attorneys,

/s/ Andrew Good

Andrew Good

/s/ Philip G. Cormier

Philip G. Cormier

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Certificate of Service

I hereby certify that a copy of the foregoing Motion was hereby served, via the ECF system, upon the following:

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DATED: December 16, 2011

/s/ Andrew Good

Andrew Good